Case 09-73087 Doc 1 Filed 07/25/09 Entered 07/25/09 12:15:04 Desc Main B1 (Official Form 1) (01/08) Document Page 1 of 7

United States Bankruptcy Court Voluntary				v Petition							
Northern District of Illinois, Eastern Dis				tern Div	ision Voluntary Petition Name of Joint Debtor (Spouse) (Last, First, Middle):						
Stewart, David Gordon					Stewart Dawn Lynn All Other Names Head but the Joint Debtes in the lest 8 years						
All Other Names Used by the Debtor in the last 8 years (include married, maiden, and trade names):					All Other Names Used by the Joint Debtor in the last 8 years (include married, maiden, and trade names):						
Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all): 7457					Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all): 0875						
Street Address of De	•	Street, City, and St	ate):			Street Address of Joint Debtor (No. and Street, City, and State):					
2214 Pringle Driv	e					2214 Pringle Drive					
Marengo, Illinois				60152		Marengo, Illinois 60152					
County of Residence McHenry	or of the Princ	cipal Place of Busin	ness:			County of Res McHenry	idence	or of the Principal P	lace of Busines	SS:	
Mailing Address of D	Debtor (if diffe	erent from street ad	dress):			Mailing Addre	ss of Jo	oint Debtor (if differ	rent from street	address):	
Location of Principal	Assets of Rus	siness Debtor (if di	fferent from stree	et address abov	е).						
Location of 1 interput	Tissets of Bus	siness Bestor (if di	T				1				
(Forn	Type of Debtor (Form of Organization)			Nature of Business (Check one box.)						Code Under W	
Individual (inclu	theck one box. udes Joint Deb		Health Care Business Single Asset Real Estate as defin			ed in		Chapter 7 Chapter 9	•	15 Petition for tion of a Foreig	n
See Exhibit D o			Railroad					Chapter 11	Main Pr	oceeding	
Corporation (inc Partnership Other (If debtor	is not one of t	the above entities	1=	Stockbroker Commodity Broker			Chapter 12 Chap			hapter 15 Petition for ecognition of a Foreign	
Other (If debtor is not one of the above entities, check this box and state type of entity below.)		Clearing Bank Other							n Proceeding		
							Nature of Debts (Check one box.)				
	Tax-Exempt Entity (Check box, if applicab) Debtor is a tax-exempt organizat				Debts are primarily consumer Debts are primarily debts, defined in 11 U.S.C. Debts are primarily business debts.						
				§ 101(8) as "incured by an							
under Title 26 of the United St Code (the Internal Revenue Co		nited Stat	es personal, family, or house-								
	Filing Fee	(Check one box.	`	ne internal rev	enae cou	Chapter 11 Debtors					
Full Filing Fee a	attached					Check one box:					
		ments (Applicable				☐ Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D) ☐ Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D)					
		n for the court's con stallments. Rule 10			otor is	Check if: Debtor's aggregate noncontingent liquidated debts (excluding debts owned to					
_	-	Applicable to chapt			ach	insiders or affiliates) are less than \$2,190,000.					
signed application for the court's consideration. See Official Form 3B.				Check all applicable boxes:							
					A plan is being filed with this petition. Acceptances of the plan were solicited prepetition from one or more classes				ore classes		
Statistical/Admini	strative Infor	mation				of credi	tors, in	accordance with 11	U.S.C. § 1126	(b).	THIS SPACE IS FOR
Debtor estimat	tes that funds v	will be available for									COURT USE ONLY
		ny exempt property no funds available									
Estimated Number	_		7								
1- 50	-)-	100-	200-	1,000-	5,001-	10,00		25,001-	50,001-	Over	
49 99 Estimated Assets)	199	999	5,000	10,000	25,000)	50,000	100,000	100,000	
] 50,001 to			\$1,000,001	\$10,000	0,001 \$50,0	00 001	\$100,000,001	\$500,000,001	☐ More than	
	100,000	\$500,000 t	o \$1	to \$10 million	to \$50 million	to \$10	0	to \$500 million	to \$1 billion	\$1 billion	
Estimated Liabilitie	-	_	_	_		_		_			
	50,001 to	\$100,001 to	\$500,001	\$1,000,001	\$10,000			\$100,000,001	\$500,000,001		
\$50,000 \$1	00,000			to \$10 million	to \$50 million	to \$10 millio		to \$500 million	to \$1 billion	\$1 billion	

Voluntary Petition (This page must be completed and filed in every case)	Name of Debtor(s): David Gordon Stewart/Dawn Lynn Stewart			
All Prior Bankruptcy Case Filed Within Las	et 8 Years (If more than two, attach addit	ional sheet.)		
Location Where Filed:	Case Number:	Date Filed:		
Location Where Filed:	Case Number:	Date Filed:		
Pending Bankruptcy Case Filed by any Spouse, Partner or	Affiliate of this Debtor (If more than one	e, attach additional sheet.)		
Name of Debtor:	Case Number:	Date Filed:		
District:	Relationship:	Judge:		
Exhibit A (To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11.) Exhibit A is attached and made a part of this petition.	_ · · · · · · · · · · · · · · · · · · ·	she] may proceed under chapter 7, 11, , and have explained the relief her certify that I delivered to the		
Does the debtor own or have possession of any property that poses or is alleged to pose a Yes, and Exhibit C is attached and made a part of this petition. No	Exhibit C threat of imminent and identifiable harm to	public health or safety?		
(To be completed by every individual debtor. If a joint petition is filed, each spouse muss	tition.			
Information Rega	arding the Debtor - Venue			
(Check ar	ny applicable box.)			
☐ Debtor has been domiciled or has had a residence, principal place of business, preceding the date of this petition or for a longer part of such 180 days than in		ys immediately		
☐ There is a bankruptcy case concerning debtor's affiliate, general partner, or part	enership pending in this District.			
Debtor is a debtor in a foreign proceeding and has its principal place of busines or has no principal place of business or assets in the United States but is a defet this District, or the interests of the parties will be served in regard to the relief	endant in an action or proceeding [in a federa			
	m en			
Certification by a Debtor Who Resides as a Tenant of Residential Property (Cheek all applicable boxes)				
(Check all applicable boxes.)				
Landlord has a judgment against the debtor for possession of debtor's residence. (If box checked, complete the following.)				
(Name of landlord that obtained judgment)				
	address of landlord)			
Debtor claims that under applicable nonbankruptcy law, there are circumstance entire monetary default that gave rise to the judgment for possession, after the		d to cure the		
 □ Debtor has included in this petition the deposit with the court of any rent that v filing of the petition. □ Debtor certifies that he/she has served the Landlord with this certification. (11 		after the		
Deotor certaines that nersuc has served the Landroid with this certaineation. (11 0.5.c. § 502(1)).				

Voluntary Petition (This page must be completed and filed in every case)	Name of Debtor(s): David Gordon Stewart/Dawn Lynn Stewart		
Sign	natures		
Signature(s) of Debtor(s) (Individual/Joint) I declare under penalty of perjury that the information provided in this petition is true and correct. [If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under Chapter 7] I am aware that I may proceed under chapter 7, 11, 12 or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7. [If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by § 342(b) of the Bankruptcy Code. I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.	Signature of a Foreign Representative I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition. (Check only one box.) I request relief in accordance with chapter 15 of title 11, United States Code. Certified copies of the documents required by § 1515 of title 11 are attached. Pursuant to § 1511 of title 11, United States Code, I request relief in accordance with the chapter of title 11 specified in this petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.		
X /s/ David Gordon Stewart Signature of Debtor X /S/ Dawn Lynn Stewart Signature of Joint Debtor Telephone Number (If not represented by attorney) 7/24/09 Date	X (Signature of Foreign Representative) (Printed Name of Foreign Representative) Date		
Signature of Attorney* X /S/Joseph C. Michelotti Joseph C. Michelotti 6185760 Printed Name of Attorney for Debtor(s) Micheloti & Associates, Ltd. Firm Name 1200 Jorie Blvs. Suite 329 Address Oak Brook, IL 60523	Signature of Non-Attorney Bankruptcy Petition Preparer I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notice and information required under 11 U.S.C. 110(b), 110(h), and 342(b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required in that section. Official Form 19B is attached. Printed Name and title, if any, of Bankruptcy Petition Preparer		
630 928 0100 Telephone Number 7/24/09 Date * In a case in which § 707(b)(4)(D) applies, this signature also constitutes a certification that the attorney has no knowledge after an inquiry that the information in the schedules is incorrect.	Social Security number (If the bankruptcy petition preparer is not an individual, state the Social Security number of the officer, principal, responsible person or partner of the bankruptcy petition preparer.)(Required by 11 U.S.C. § 110.) Address		
Signature of Debtor (Corporation/Partnership) I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor. The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.	Date Signature of Bankruptcy Petition Preparer or officer, principal, responsible person, or partner whose social security number is provided above.		
Signature of Authorized Individual Printed Name of Authorized Individual	Names and Social Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition: preparer is not an individual. If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.		
Title of Authorized Individual Date	A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisionment or both 11 U.S.C. § 110; 18 U.S.C. § 156.		

UNITED STATES BANKRUPTCY COURT

Northern District of Illinois, Eastern Division

In Re:	David Gordon Stewart/Dawn Lynn Stewart	Case No.	
	Debtor	(if	known)
	EXHIBIT D - INDIVIDUAL DEBTO	R'S STATEMENT OF COMPLIANO	CE WITH

EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE WITH CREDIT COUNSELING REQUIREMENT

Warning: You must be able to check truthfully one of the five statements regarding credit counseling listed below. If you cannot do so, you are not eligible to file a bankruptcy case, and the court can dismiss any case you do file. If that happens, you will lose whatever filing fee you paid, and your creditors will be able to resume collection activities against you. If your case is dismissed and you file another bankruptcy case later, you may be required to pay a second filing fee and you may have to take extra steps to stop creditors' collection activities.

Every individual debtor must file this Exhibit D. If a joint petition is filed, each spouse must complete and file a separate Exhibit D. Check one of the five statements below and attach any documents as directed.

- ☑ 1. Within the 180 days before the filing of my bankruptcy case, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, and I have a certificate from the agency describing the services provided to me. Attach a copy of the certificate and a copy of any debt repayment plan developed through the agency.
- □ 2. Within the 180 days before the filing of my bankruptcy case, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, but I do not have a certificate from the agency describing the services provided to me. You must file a copy of a certificate from the agency describing the services provided to you and a copy of any debt repayment plan developed through the agency no later than 15 days after your bankruptcy case is filed.

3. I certify that I requested credit counseling services from an approved agency but was unable to obtain the services during the five days from the time I made my request, and the following exigent circumstances merit a temporary waiver of the credit counseling requirement so I can file my bankruptcy case now. [Summarize exigent circumstances here.]
If your certification is satisfactory to the court, you must still obtain the credit counseling briefing within the first 30 after you file your bankruptcy petition and promptly file a certificate from the agency that provided the counseling, together with a copy of any debt management plan developed through the agency. Failure to fulfill these requirements may result in dismissal of your case. Any extension of the 30-day deadline can be granted only for cause and is limited to a maximum of 15 days. Your case may also be dismissed if the court is not satisfied with your reasons for filing your bankruptcy case without first receiving a credit counseling briefing.
4. I am not required to receive a credit counseling briefing because of: [Check the applicable statement.][Must be accompanied by a motion for determination by the court.]
☐ Incapacity. (Defined in 11 U.S.C. § 109(h)(4) as impaired by reason of mental illness or mental deficiency so as to be incapable of realizing and making rational decisions with respect to financial responsibilities.);
☐ Disability. (Defined in 11 U.S.C. § 109(h)(4) as physically impaired to the extent of being unable, after reasonable effort, to participate in a credit counseling briefing in person, by telephone, or through the Internet.);
☐ Active military duty in a military combat zone.
5. The United States trustee or bankruptcy administrator has determined that the credit counseling requirement of 11 U.S.C. § 109(h) does not apply in this district.
I certify under penalty of perjury that the information provided above is true and correct.
Signature of Debtor _/s/ David Gordon Stewart
Date: _7/24/09

UNITED STATES BANKRUPTCY COURT

Northern District of Illinois, Eastern Division

In Re:	David Gordon Stewart/Dawn Lynn Stewart	Case No.
_	Debtor	(if known)
		S STATEMENT OF COMPLIANCE WITH LING REQUIREMENT
	credit counseling listed below. If you cannot case, and the court can dismiss any case you filing fee you paid, and your creditors will be you. If your case is dismissed and you file an	
		chibit D. If a joint petition is filed, each spouse heck one of the five statements below and attach
	from a credit counseling agency approved by the administrator that outlined the opportunities for performing a related budget analysis, and I have	r available credit counseling and assisted me in
	☐ 2. Within the 180 days before the filing	of my bankruptcy case, I received a briefing

from a credit counseling agency approved by the United States trustee or bankruptcy

no later than 15 days after your bankruptcy case is filed.

administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, but I do not have a certificate from the agency describing the services provided to me. You must file a copy of a certificate from the agency describing the services provided to you and a copy of any debt repayment plan developed through the agency

3. I certify that I requested credit counseling services from an approved agency but was unable to obtain the services during the five days from the time I made my request, and the following exigent circumstances merit a temporary waiver of the credit counseling requirement so I can file my bankruptcy case now. [Summarize exigent circumstances here.]
If your certification is satisfactory to the court, you must still obtain the credit counseling briefing within the first 30 after you file your bankruptcy petition and promptly file a certificate from the agency that provided the counseling, together with a copy of any debt management plan developed through the agency. Failure to fulfill these requirements may result in dismissal of your case. Any extension of the 30-day deadline can be granted only for cause and is limited to a maximum of 15 days. Your case may also be dismissed if the court is not satisfied with your reasons for filing your bankruptcy case without first receiving a credit counseling briefing.
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☐ Active military duty in a military combat zone.
5. The United States trustee or bankruptcy administrator has determined that the credit counseling requirement of 11 U.S.C. § 109(h) does not apply in this district.
I certify under penalty of perjury that the information provided above is true and correct.
Signature of Joint Debtor/S/ Dawn Lynn Stewart
Date: _7/24/09